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2 IN THE UNITED STATES DISTRICT COURT
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4 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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6 SUSAN O'HARTZ,
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No. CV-07-0415 MMC

Plaintiff,

8 v. **JUDGMENT IN A CIVIL CASE**
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10 CALIFORNIA STATE AUTOMOBILE
11 ASSOCIATION INTER-INSURANCE
BUREAU GROUP LONG TERM DISABILITY
PLAN,

12 Defendant.
13 /

14 **(J) Jury Verdict.** This action came before the Court for a trial by jury. The issues
15 have been tried and the jury has rendered its verdict.

16 **(X) Decision by Court.** This action came to trial or hearing before the Court. The
17 issues have been tried or heard and a decision has been rendered.

18 **IT IS SO ORDERED AND ADJUDGED** plaintiff's Motion for Summary
19 Judgment is hereby GRANTED, and defendant's Motion for Summary Judgment is
20 hereby DENIED as follows:

21 1. Plaintiff's STD benefits shall be reinstated effective May 29, 2003, in
22 accordance with the terms of the STD policy.

23 2. Defendant shall evaluate plaintiff's claim for LTD benefits under the terms of
24 the LTD policy.

25 3. To the extent plaintiff seeks to recover attorney's fees under 29 U.S.C. §
26 1132(g), plaintiff shall file a separate motion pursuant to Civil L.R. 54-6.

27 4. To the extent plaintiff seeks an award of prejudgment interest,
28 plaintiff shall make and support such request in her motion for attorney's fees or by

1 separate motion filed no later than the date on which her motion for attorneys fees is due.

2 5. Any bill of costs shall be filed in accordance with Civil L.R. 54-1.

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Dated: September 11, 2008

Richard W. Wiking, Clerk

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By: Tracy Lucero
Deputy Clerk

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